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THE NECESSITY
OF
PRESERVING THE MEMORIALS OF THE
PAST AND OF TRANSMITTING TO
POSTERITY A JUST AND IM-
PARTIAL HISTORY OF
NORTH CAROLINA.

AN ADDRESS

BY

COL. WM. H. S. BURGWYN,

DELIVERED BEFORE THE ALUMNI ASSOCIATION OF THE UNIVERSITY OF
NORTH CAROLINA, JUNE 4, 1890, IN MEMORIAL
HALL AT CHAPEL HILL.

PUBLISHED BY THE ALUMNI ASSOCIATION.

RALEIGH:

EDWARDS & BROUGHTON, POWER PRINTERS AND BINDERS.

1890.



Wm. Campbell
With the Compliments
of the Author
Dec 9th 1890

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THE NECESSITY OF PRESERVING THE MEMORIALS OF THE PAST AND OF TRANSMITTING TO POSTERITY A JUST AND IMPARTIAL HISTORY OF NORTH CAROLINA.

Mr. President, Young Gentlemen of the Philanthropic and Dialectic Societies, Ladies and Gentlemen :

IN 1863 Dr. Haven, in his inaugural address as President of Michigan University, used these words: "The University of Michigan is the oldest, largest and most flourishing of the class of institutions that may rightly be regarded as State Universities." Prof. Herbert B. Adams, of the Johns Hopkins University, in his recent monograph on "The Study of History in American Colleges and Universities," says, "This statement was true for America in 1863, and it is true to day."

Was it true in 1863? Is it true to-day? To prove his assertion, Prof. Adams relies upon the facts, first, that in the ordinance of 1787 providing for the government of the great Northwestern Territory it was declared that "schools and the means of education should forever be encouraged;" and secondly, that in the Act of Congress of 1804-'5 for the organization of the Territory of Michigan there was reserved a "township of land for the support of a University."

Our surprise at so boastful a claim on the part of President Haven will not be lessened when we are told that no steps were taken by the territorial government towards University organization until the year 1817, when an act was passed establishing the "University of Michigan;" but to fill the thirteen chairs provided for, there were only two professors elected—the President filling *seven* of them, and the Roman Catholic Bishop of the Territory the remaining *six*.

I can make no stronger argument in support of my plea here

to-day for the institution of a separate chair of American History and Political Science, at Chapel Hill, than the above remarkable statement of President Haven. Remarkable as emanating from such a source; surprising in its exhibition of unfairness, I would not say ignorance, on the subject he was treating.

Listen, friends and fellow-citizens! In 1755 the Assembly of North Carolina passed an act appropriating £6,000, equal to \$150,000 in the money of to-day, for the endowment of a public school for the Province, and resolved "that under a sense of the many advantages that will arise to the Province from giving our youth a liberal education, whether considered in a moral, religious or political light, a public school or seminary of learning be erected and properly endowed, and for effecting the same the sum of £6,000 already appropriated for that purpose be properly applied."

But earlier than this. In his will, dated July 5, 1754, Col. James Innes, of the Cape Fear, and at the time Commander-in-chief of the expedition to the Ohio against the "French and their Indians," gave his plantation, Point Pleasant, a considerable personal estate, his library and £100 sterling "for the use of a free school for the benefit of the youth of North Carolina." This bequest, says Col. Saunders, was the first private bequest of the kind in the history of the State.

But more remarkable still was the action of the Halifax Congress of November, 1776. This Congress adopted a Constitution and Bill of Rights for the people of North Carolina. It came together on the eve of a great civil war to deliberate upon the most solemn, delicate and difficult of all human undertakings. The time of its meeting was memorable. Rejoicings for the victory of Moore's Creek were still filling the air; the skirmishings at Lexington and Concord and the battle of Bunker's Hill had taken place the April and June of the previous year. The Mecklenburg and Philadelphia Declarations

of Independence had been adopted, and the rule of the last royal governor had ceased in North Carolina; all was confusion, uncertainty, and the ship of state was without a pilot; and yet, the forty-first section of this Constitution is in these words, "A school or schools shall be established, and all useful learning shall be duly encouraged and promoted in one or more universities."

We can but pause in reverential admiration for the lofty patriotism, noble purposes and sublime self-reliance of these men, who, in the midst of the weighty responsibilities, perplexities and dangers of the time, while preparing the State for defence, could yet bethink themselves of the importance of education and bind the new government to provide for it.

Had Professor Adams been aware of this clause in the North Carolina Constitution of 1776, and known that in 1789 the Legislature, as its first action as a member of the new United States, proceeded to carry out the noble resolution of the Halifax Congress, and established a University for the higher education of the youth of the State, he could not have endorsed President Haven's unsustained assumption.

But where does the fault lie?

Have we in North Carolina done our part in this matter? Have we seen to it that such ignorance of our noble past should not prevail among educated people?

Do we, ourselves, realize what a heritage we have?

When the world reads of Lexington and Concord and Bunker's Hill and Princeton and Trenton and Saratoga and Yorktown, do they read of Alamance, of Moore's Creek, of the Cowpens, of Ramsour's Mill, of Elizabethtown, of King's Mountain or of Guilford Court House?

When it hears of the destruction of the tea in Boston Harbor by men disguised and operating in the night, does it hear of the far more daring deed of Colonels Ashe and Waddell and their associates, who, eight years before, in broad daylight,

with a British man-of-war threatening them, the proclamation of the royal Governor denouncing them, demanded of that Governor (Tryon) that he desist from all attempts to execute the Stamp Act, and under threats of burning the Governor's Palace, himself and the Stamp Master (Houston) as well, forced the Governor to surrender the latter, whom they compelled to take an oath at the public market-house not to execute his office.

“ These are deeds which should not pass away,
And names that must not wither, tho' the earth
Forgets her empires with a just decay,
The enslavers and enslaved, their death and birth.”

The world unites in homage to Washington, Greene, Franklin, Adams, Hamilton, and well it may. But how many recall the fact that in response to the appeal of the Governor of Virginia for troops to resist the French and their Indians on the borders of Virginia in 1754-'55, that North Carolina enlisted more men to engage in that war than Virginia herself, and that a North Carolina soldier, Col. James Innes, was selected by the Governor of Virginia, over all competitors, including George Washington, to take the command in chief of the expedition.

Serving in this campaign under Innes was another North Carolina soldier, destined to achieve even greater distinction than his superior; who, but for his untimely death (April, 1773,) at the early age of thirty-nine just before the breaking out of the Revolutionary war, might have been selected instead of Washington, to command the Continental armies, such was his reputation as an accomplished soldier and resolute patriot.

As a North Carolinian, I express my gratification that the eminent services of this distinguished son of the State—Gen. Hugh Waddell—have not been permitted to remain unchronicled, and that a descendant, worthy scion of such a stock,

has perpetuated the deeds and character of his great ancestor in a manner worthy of the subject and the time.

There is John Ashe, "the most chivalrous hero of our Revolution." Gen. Francis Nash, Colonels Buncombe and Irwin, the heroes of Germantown, who gave their lives on that bloody field and saved the American army from defeat. Lillington and Caswell, who commanded at Moore's Creek; Sevier, Shelby, Cleveland, McDowell and Winston, of King's Mountain fame. Thomas Brown, who commanded at the brilliant affair of Elizabethtown, which ended the Tory power in Bladen. Gen. William R. Davie, justly called the father of the University, who, with Gen. Joseph Graham, in September, 1780, so gallantly resisted the entrance of Cornwallis into Charlotte town. Robert Howe, the wit, the scholar and the soldier, who, with Cornelius Harnett, enjoys the distinction of being excepted from the pardon proclamation of the British General (May 5th, 1776).

Gen. James Moore, appointed, in 1776, by Congress, Commander-in-Chief of the Southern Department, but in whose death soon thereafter there was lost the "first military genius of the Province." Gen. Griffith Rutherford, after whom Rutherford County is named. Gen. William L. Davidson, killed at Cowan's Ford (1781), resisting Cornwallis' passage of the Catawba in his pursuit of Greene, and whose name and worth are perpetuated in Davidson College. Such names, such deeds, should be as household words with our people.

Ought our youth not to be told of John Harvey, of Perquimans County, the Moderator of the Provincial Congress, than whom no braver or wiser man has ever borne a part in the conduct of affairs in North Carolina.

Of Cornelius Harnett, the pride of the Cape Fear, the Samuel Adams of North Carolina; excepted from the proclamation of pardon, at last he is captured, thrown into prison, his health and fortune wrecked in the storms which assailed his country,

he dies in his imprisonment, childless and forlorn, leaving as his epitaph these immortal lines :

“ Slave to no sect, he took no private road,
But looked through Nature, up to Nature’s God.”

No North Carolinian should fail to read the eloquent panegyric on this great patriot by the Hon. Geo. Davis, of Wilmington.

And who hears, in these days, of Edward Mosely, the Sir Matthew Hale of North Carolina ; the incorruptible Judge in a time of general demoralization ; the great Tribune of the people’s cause as against the encroachments of the crown and the Royal Governors ? The foremost lawyer of his day, who, as early as 1716, in a formal resolution told the Governor and his Council “ that the impressing of the inhabitants of their property under the pretence of its being for the public service, without authority from the Assembly, was unwarrantable, and a great infringement of the liberty of the subject.” As has been well said, “ The name of Mosely will never be without honor in North Carolina as long as time and gratitude shall live.”

But if we owe it to ourselves to rescue from oblivion the names and deeds of such men, how much more incumbent it is that we should refute the slanders and misrepresentations that have been cast upon our State. Among the many who have, either through ignorance or prejudice, denied us our just meed of praise on the one hand, or perverted history to our prejudice on the other, there is one historian who treats us fairly. “ Are there any,” says Bancroft, “ who doubt man’s capacity for self-government, let them study the history of North Carolina.”

There is probably no part of our history that is less understood, more perverted to our discredit, and less credit awarded where deserved, than the period from 1663 to 1775.

THE COLONIAL PERIOD.

That such injustice will not forever be done us in histories of those times I am led to believe, chiefly through the labors of one in whose bosom love for the State, pride in her record and confidence in her great future, burns as fiercely as did the love of freedom in the men of the Revolution.

In his youth, serving his country on the battle-fields of the late war, enduring hardships, sustaining bodily injuries from the effects of which his latter days are spent in pain and debility, he is devoting the strength still left him, and the hours of cessation from pain, to the noble purpose of preserving the memorials of the past, and of transmitting to posterity a just and faithful history of those times.

Until called by his people to his present office of honor, he served them, after the late war, in the high place as leader of public opinion through the public press.

In reference to this work, which his official position imposed on him, he says, "that for seven years he has devoted himself to it, and has done the best he could, without reward or the hope of reward, and solely because of the love he bears to North Carolina and her people."

Such are the words of a patriot; and I trust I offend not against the proprieties of this occasion in thus publicly expressing my humble opinion of the work done and the good accomplished for North Carolina by the Hon. Wm. L. Saunders,

Says Col. Saunders; "Under the rule of the Lords Proprietors the people of North Carolina were confessedly 'the freest of the free,' and their legal status in this respect was due, in their opinion, to the royal charter under which the colony had its rise and got its growth. To them *Magna Charta*, the Great Charter, was not the one granted by King John to the English Barons at Runnymede, but the one granted by Charles II. to the Lords Proprietors of the Province of North Carolina."

In addition to this, when we consider that the governors of North Carolina, both under the proprietary and royal governments, were not natives, but, for the most part, needy adventurers who came over here to make their fortunes at the expense of the colonies, we can understand why Culpepper rebelled against the usurper Miller (1677), and not wonder that Governors Jenkins, and Miller, and Eastchurch, and Seth Sothel—a lord proprietor himself—and Glover, and Hyde, and Burrington were turned out of office by the people, until it became such a common thing that the Governor of Virginia (Spottswood) said, “the North Carolinians were so used to turning out their Governors that they thought they had the right to do so.”

The theory of the British Crown was that the colonies were only for the benefit of the mother country; that the colonies had neither rights nor interests that the Crown, or the mother country, must regard. The people, on the other hand, thought they possessed rights that not only the Governor, but the King himself, was bound to respect. After thirty years of royal rule, the Governor wrote to the Lords of the Board of Trade that the Assembly held that their Charter still subsisted, and that it bound the King as well as the people. As has been well said: “All the so-called rebellions and disturbances arose from the efforts of the people to resist illegal and usurped authority.

Culpepper opposed a drunkard who tried to act as Governor without credentials. The Cary rebellion was resistance to tyrannical invasion of religious freedom. The many acts of resistance against Everard and the hot-headed Burrington were because they endeavored to act as despotic kings, to control the General Assembly and the judiciary.

The many collisions between the people and the courts were caused by the attempts of the chief justices to exercise powers contrary to the rights of the litigants. The people steadily resisted all efforts by governors, judges and councillors to

make them pay their quit-rents in sterling money instead of "proclamation money" (paper money). They claimed the right to pay rents in "proclamation money," or, if they preferred, in commodities at rated values, and deliverable at their homes. Governors Johnston and Dobbs tried to force delivery at points convenient to the government, but "the people resisted, overawed the courts and beat their officers."

Governor Johnston tried to reduce the representation of the "Albemarle counties," and employed the expedient of summoning the Assembly to meet in the extreme southern part of the province, at a time inconvenient to the Albemarle planters, in order to carry his point in their absence. The people refused to recognize his Assembly, denied the validity of its acts, and lived six years in open defiance of his government, without paying taxes, without courts and without representatives in his General Assembly. Was there ever a similar instance of resistance to oppression?

Governors Dobbs and Tryon, under instructions from the Crown, tried to pass court laws, which the people regarded as tyrannical, and preferred no courts to bad courts.

Fanning and others, carpet-baggers, charged extortionate fees, and sheriffs seized property for taxes, which could not be paid because specie was not to be had and paper money issues were forbidden. The Regulators arose by the thousands, and the War of the Regulation began.

WAR OF THE REGULATION.

This movement commenced at the August session, 1766, of Orange County Court, and ended in defeat and slaughter at the battle of Alamance, May 16, 1771.

On the day before the battle the Regulators, numbering probably two thousand men, under no leadership, without cavalry or artillery, many even without arms or ammunition, had assembled on the banks of the Alamance.

Gov. Tryon, with some ten or eleven hundred soldiers, with cavalry and artillery, commanded by Colonels Ashe, Leach, Caswell, Hinton, Thompson, Bryan and Craig, camped near them. At six o'clock in the afternoon the Regulators sent a petition to the Governor "signed in behalf of the county" by John Williams, Samuel Low, James Wilson, Joseph Scott and Samuel Clark. The language of this remarkable document is sad beyond comparison.

It contains not a suggestion of resistance to lawful authority, but is an humble beseeching appeal for the poor privilege of laying before the Governor a "full detail of all their grievances," which, if granted to them, as runs the language of the paper, "would yield such alacrity and promulgate such harmony in poor pensive North Carolina." * * * *Poor, pensive North Carolina!* To what a condition of dejection must a people be reduced to employ such language. The hand that penned that line may have been one of those laid forever cold and motionless after the morrow's battle. I confess to a feeling of unutterable pity as I think of these men.

Despairing of redress, about to engage in a hopeless battle, the consequences of which could only be death on the scaffold to the ringleaders, and yet they quailed not. No round robin here to escape individual responsibility.

The petition is contemptuously rejected; the morrow's battle takes place; the defeat is sustained; the leaders captured, carried in triumph to Hillsboro; tried by court-martial; twelve convicted and sentenced to be hung, and six immediately executed.

One of these victims, known as the "Rifleman Pugh," when placed under the gallows, asked permission to speak; he was given a half hour.

He was perfectly calm, even dignified; not a muscle quivered. He began by saying that he had long, as he hoped and believed, been prepared to meet his God; that he was not, therefore, afraid

to die; that he had no acknowledgment of wrong to make, no pardon to ask for what he had done. Then addressing his countrymen he told them that he was sure his blood would be as seed sown on good ground, and that ere long they would see it produce an hundred fold. He then recapitulated briefly the oppressions of the people, and the causes which had led to the conflict, asserting that the Regulators had taken the life of no man before the battle commenced, and that they sought nothing more than the lawful redress of their grievances.

He then turned to the Governor and charged him with having brought an army there to murder the people instead of taking sides with them, as he should have done, against a swarm of dishonest officers; he advised him to put away his corrupt favorites, and to be the friend of the people whom he was sent to govern; "and here," said he, pointing to Fanning, "here is one of those favorites, utterly unfit to be in authority ——" At these words, the denounced minion gave the signal, and the further fearless denunciation was hushed in death before the allotted half hour had expired.

Who will be so bold as to say, judging each by his station in life, his opportunities, his motives and aims, whether the brilliant, gifted and honored Robert Emmet, expiating his rebellion against the same government on the scaffold at Dublin twenty-two years afterwards (1803), or the humble, uneducated, but brave and pious Pugh, hanging from the gallows on the hill near Hillsboro, be the greater patriot. 'Tis true the latter did not defend his cause with the eloquence and pathos that marked Emmet's appeal to the jury that condemned him, and no poet has arisen to celebrate Pugh's death in immortal verse; but the homely language of this plain country blacksmith, as in sublime disregard of his immediate death he denounced the Governor and the practices he countenanced, fill me with inexpressible admiration of this man's nobleness of character and lofty patriotism.

Thus and here was the first blood spilled in these United States in resistance to exactions of English rulers and oppressions by the English government. Says the historian: "Had this battle terminated differently, the banks of Alamance would be venerated as another Bunker Hill, and Husbands, Merrill and others, ranked with the Warrens and patriots of another day."

Four years after this sad event, the Congress at Hillsboro resolved "that those participating in the war of the Regulation ought not to be punished for doing so," and appointed a committee to induce those same Regulators to unite with the Colonial forces against the mother country; and *mirabile dictu!* as members of that committee we find the Rev. Mr. Patillo, the Presbyterian divine, who had denounced these Regulators in a pastoral letter to his congregation; David Caswell, whose bayonets at Alamance had won the battle, and Maurice Moore, the Judge, who after the battle had condemned the ringleaders and poor Pugh to be hung. Is further evidence necessary to vindicate the motives and actions of these men from the aspersions and criticisms that have been lavished upon them? I feel it a privilege, as well as a duty, to say this much in defense of a cause for which these men fought and died.

Though at the end of the royal Government (1775) there were but two schools in the whole Province, those of New Berne and Edenton, there must have been at that period many men of education and literary attainment in North Carolina. The resolves of the Provincial Congresses, the Provincial Councils, the District Committees of Safety and the addresses which they published to the country, are so remarkable for the purity of the language, the simplicity and beauty of the style, and for cogency of argument, as to excite our wonder, for they cannot be surpassed by the most polished productions of any age. The letter addressed to Gov. Tryon by Judge Moore under the

signature "*Atticus*," shows the master hand of a Juvenal or a Junius.

After 163 years no better plan for alleviating the depressed condition under which agriculture is at present suffering, has been suggested by the thinkers and statesmen of to-day, than was devised and put in successful operation by the General Assembly of North Carolina, in 1727.

So successful was the plan that it was adopted in Pennsylvania and other of the Provinces, and recommended by Gov. Pownal, who had presided over Massachusetts, South Carolina and New Jersey, to the mother country for establishment in all the Colonies. Truly those men of the old Colonial days were the peers of any, measure them by what standard you may.

"The Colonial History of North Carolina shows a people loyal and submissive to legal authority; bold, enduring and indomitable in resistance to illegal usurpation, and this has always been their spirit. The spirit of the Revolution was born in Colonial North Carolina, and defiance of British authority had existed practically here one-half a century before the Declaration of Independence."

NORTH CAROLINA AND THE REVOLUTION.

As we come to the Revolutionary history of North Carolina our thoughts instinctively turn to Moore's Creek, King's Mountain, the Cowpens and Guilford Court-house.

It was at Moore's Creek (February 22, 1776,) that the first conflict between the Colonists and the troops of the mother country took place in North Carolina. At Guilford Court-house (March 15, 1781), more than five years thereafter, the last battle in the State between those forces was fought.

Between these events there was won by the Colonists the

brilliant victories of Ramsour's Mill (June 20, 1780), King's Mountain (October 7, 1780), the Cowpens (January 17, 1781), and Elizabethtown (July, 1781).

The author of the "Fifteen Decisive Battles of the World" has selected the battle of Saratoga (October 17, 1777) as one of those turning points in the world's history. Had the facts about the battle of King's Mountain, and the bearing of that victory upon the subsequent military operations in the South, been as well ascertained then as they are now, Professor Creecy might have hesitated before he selected Saratoga rather than King's Mountain as his illustration. Had Ferguson been the victor, could Cornwallis have had him with his eleven hundred men to assist at Guilford Court-house, the march to Yorktown might never have been made, and to-day the banner of Saint George might be floating over our heads rather than the Stars and Stripes.

The details of this battle should be with us as household words, for history records no more brilliant military exploit in all the annals of modern warfare than the victory at King's Mountain.

A citizen of North Carolina, "convinced that great injustice has been done to the militia of North Carolina in regard to their conduct at the battle of Guilford Court-house, resolved, as a dutiful son, to write in defence of his native State, and in vindication of the honor and patriotism of her people."

Could a more honorable duty devolve upon one? Could any one have performed this duty in a manner more patriotic and satisfactory than it has been in this instance by the Hon. David Schenck, of Greensboro?

Through the patriotic investigations of this distinguished North Carolinian it is now established, that before the deadly fire of that undisciplined militia the flower of the British army recoiled in dismay; that one-half of the Highlanders dropped before them; that nearly one-third of Webster's Brigade was

annihilated in their front. Yes, men of Guilford, you more than obeyed your orders. You fired your flint-lock rifles twice and continued to fire till the Hessians mounted the intervening fence, and then you clubbed your weapons and fought them back hand to hand.

Had all the troops on that fated field served their General and their country as did Eaton's and Butler's North Carolina Militia, and Forbis' Volunteers, Guilford Court-house might have been a second King's Mountain, and to Greene, rather than to Washington, Cornwallis surrendered his sword.

As it was, to-day's victory is followed by the morrow's retreat of the British General, and not till he reached the protection of his fleet riding in the waters of the Cape Fear did Cornwallis find repose from the incessant attacks of the pursuing foe. Truly has it been said, "The battle of Guilford Court-house made Yorktown possible."

One would think such a record as above is glory enough for a people. But it may surprise some to be told that not alone to her own territory did North Carolina confine her efforts in behalf of independence.

When the city of Boston was under embargo in 1774, and her citizens in distress, the people of North Carolina declared that "the cause of Boston is the cause of all," and from Wilmington and New Bern ships laden with supplies were sent as a contribution to their brothers in want at Boston.

It was the one thousand men from North Carolina under Colonel Robert Howe that enabled the Virginians to drive Governor Dunmore out of the State in 1775; and another one thousand men under Colonels Martin, Polk and Rutherford were sent to South Carolina to help put down the Tories in that State who were too strong for our Southern neighbor; and at Germantown, in Pennsylvania, it was Nash and his North Carolina troops that saved the day to the American army.

It should not be forgotten that, as early as April 12, 1776,

the Congress at Halifax passed a resolution instructing their delegates in the Continental Congress at Philadelphia "to concur with the delegates from the other colonies in declaring independence;" and that the Congress at Hillsboro of August the year previous had raised two regiments of regulars and five battalions of minute men, and offered bounties for the manufacture of munitions of war—all in preparation for the inevitable conflict with the mother country.

"At Mecklenburg in May, 1775, the people of a county talked independence; at Hillsboro in August the people of the whole Province deliberately and resolutely acted it; and all this nearly a year prior to the Declaration of July 4, 1776."

WOMEN OF THE REVOLUTION.

The women of the Revolution were no less heroic and patriotic than the men.

Mary Slocumb rode all night on horseback a distance of sixty miles to join her husband under Lillington and Caswell. She reached the battle-field of Moore's Creek as the field was won. Spending the day in attending to the wounded, Whigs and Tories alike, at night-time she started for home, and without resting reached her destination next day, having ridden one hundred and twenty miles in forty-eight hours.

William Mills and his wife, Eleanor, were living on Greene River, now Rutherford County. Their house was surrounded by Indians several times, and twice they were driven away. At one time the husband returned from hunting to find his house robbed, his wife gone and everything laid waste. Wild with despair he commenced moaning and tearing his hair, when, like an angel, his wife appeared, unharmed! As the Indians entered the house she crept out of a small window in the garret and slid down the chimney, making her way to the swamp near by, where she lay concealed till she heard her hus-

band's voice. At another time she escaped in a similar manner, and when a whole troop of Indians were ripping up feather-beds and yelling over their plunder, she raised a shout, solitary and alone, in the swamp near the house, "Hurrah for King George and his army!" with such rapidity and vehemence that the whole herd of savages took to their heels, and she, alone, gained a bloodless victory.

William Mills lived to his eighty-eighth year, and left eighty-nine grandchildren. At the death of his wife, as he walked out by a spring near the freshly-made grave, he remarked, tears streaming o'er his furrowed cheeks, "I and Nelly drank upon our knees at that spring fifty-five years ago, when there was no white man's foot in all this country." The old patriarch died in 1834, and sleeps by the side of his wife near Edneyville, Henderson County.

NORTH CAROLINA AND THE UNITED STATES CONSTITUTION.

No proceeding in all her history seems to me more honorable than the conduct of the State when called upon to adopt the United States Constitution.

Since the able and exhaustive addresses of Dr. Battle and Captain Ashe at the recent Centennial Celebration at Fayetteville, nothing need be said in elucidation of this part of our State's history. These gentlemen, worthy descendants of noble revolutionary sires, fully vindicated the conduct of those members of the Hillsboro Convention (1788) who succeeded in delaying the ratification until certain amendments could be secured. It would seem, there was not so much difference of opinion as to the necessity for certain amendments to the Constitution as submitted—for all pretty much agreed as to this—but Governor Johnston, Judge Iredell, General Davie and their friends wished the Constitution should first be adopted and then the amendments could be secured; but Willie Jones, Gal-

loway, Spencer, Battle and a majority of the Convention, contended for the position which Mr. Jefferson advised should be the action of Virginia, viz., that he wished nine States would adopt it, not because it deserved ratification, but to preserve the Union, but he wished the other four States would reject it that there might be a certainty of obtaining amendments.

That North Carolina's action was wise, subsequent events proved; for the first United States Congress had no sooner met than ten amendments were proposed to the several Legislatures for acceptance, which amendments substantially embodied what was contended for in the Hillsboro Bill of Rights, and thereupon the Constitution was at once ratified at Fayetteville, on November 21, 1789. But, at the same time, it was *unanimously* resolved that additional amendments should be asked, and the first of these was in these words: "That Congress shall not alter, modify or interfere in the times, places and manner of holding elections for Senators and Representatives, or either of them, except when the Legislature of any State shall neglect, refuse or be disabled by invasion or rebellion to prescribe the same, or in case when the provision made by the State is so imperfect as that no consequent election is had." In the light of certain legislation on this subject now pending in Congress, was not this resolution truly prophetic?

I confess a profound admiration for these sturdy patriots of the Revolution. How nobly and persistently they fought in council to preserve those rights and liberties won in a seven years' war. How wisely, with what forebodings, they discussed the effects of the powers granted the general government by certain clauses in the Federal Constitution. How carefully in their own State Constitution had they guarded those rights and liberties, and limited the power of the chief executive.

We can well conceive that it was a thankless business to fight against the prestige of Washington, to oppose such men as Governor Johnston, Judge Iredell and General Davie, but

“ They were men, high-minded men,
Who knew their rights, and knowing, dared maintain.”

It is perhaps well, in this connection, to call attention to these facts:

The Congress that adopted the State Constitution met at Halifax, November 12, 1776. On December 6 the form of the Constitution was ready for adoption, and on the 18th the Constitution, with the Bill of Rights, was formally adopted. This Constitution, with some slight amendments in 1836, was the form of government for our people until the end of the late Civil War, nearly one hundred years. When adopted there was no precedent for such a system. It was also conceived in the midst of civil war; yet it answered every purpose during the war with Great Britain, during the interval between peace and the adoption of the United States Constitution, and was practically unchanged all the years of peace thereafter and during the late Civil War, and afterwards until the strong arm of the conqueror came in and a new Constitution was adopted in 1868. What a marvel of human sagacity and statesmanship in the men of those times! We can but exclaim in the words of another: “How well North Carolina must have been grounded in the faith to have shown no check in her career when Hugh Waddell and James Moore, two of her very best soldiers, and John Harvey, her acknowledged civil leader, went to the grave at the very outset of the great struggle, just at the time when they were so much needed.”

NORTH CAROLINA IN PEACE UP TO 1861.

As to the character of her people in peace, they were plain, modest, conservative, religious; free from crime, from isms, from extreme poverty or wealth; sociable, kind and temperate; the best society elegant, polished and liberally educated; her statesmen patriotic; her judges incorruptible; her domestic

institution, slavery, was mild, and until 1836, the free negroes in the State exercised equally with the white citizens all the rights of freemen, including that of voting.

NORTH CAROLINA IN THE LATE CIVIL WAR.

· On April 15, 1861, Governor Ellis received the following telegraphic dispatch:

“WAR DEPARTMENT,
“WASHINGTON, April 15, 1861.

“*To Governor Ellis:*

“Call made on you by to-night’s mail for two regiments of military for immediate service.

“SIMON CAMERON,
“*Secretary of War.*”

Seldom have words of such direful consequences been penned by human hand.

True to her traditions, consistent with her conservatism, happy, prosperous and contented, the people of North Carolina were not in favor of secession.

As late as February 28, 1861, though her sister States of South Carolina, Georgia, Alabama, Mississippi, Florida and Louisiana had seceded and formed an Independent Government, yet the people of North Carolina voted down the call for a convention to consider *even* the question of secession. We sent two delegations, one to the Peace Convention at Washington City, and one to the Confederate Congress at Montgomery, with instructions to each to make a last attempt for peace.

But in vain! As the wires flashed the fatal message of Secretary of War Cameron, we can believe

“Earth felt the wound, and Nature from her seat,
Sighing through all her works, gave signs of woe,
That all was lost.”

If a people can ever lawfully change their form of Government, it is when they act on such a *dread Resolve* in convention assembled representing the sovereignty of the State.

It was a convention called by the General Assembly of the State, that in 1789 passed the ordinance ratifying the United States Constitution.

It was a convention, similarly called, that seventy-two years later passed the ordinance repealing the former one and reassuming North Carolina's sovereignty, as a “free and independent State.”

It can no longer be questioned that it was to the universal belief among the people of North Carolina, that the ordinance of May 20th, 1861—mark you, not an ordinance of secession, but an ordinance of repeal and re-assumption of sovereignty—was a matter of necessity and an act of self-preservation, and that it was in all respects legal and effective, and that the citizen's first duty of allegiance was to his State, that the response to the call of the Governor for troops to defend their borders against invasion met with such marvelous enthusiasm on the part of the people.

Listen to the reply of Governor Ellis to Secretary Cameron's telegraphic dispatch, written the same day.

“SIR—Your dispatch is received and, if genuine, which its extraordinary character leads me to doubt, I have to say in reply, that I regard the levy of troops made by the administration for the purpose of subjugating the States of the South, as in violation of the Constitution and as a gross usurpation of power. I can be no party to this wicked war upon the liberties of a free people. You can get no troops from North Carolina.”

I question whether history records a nobler protest against usurped authority than this spontaneous reply of Governor Ellis. As he wrote it a mortal disease was sapping his life's blood and soon thereafter he sank into the tomb. But who would not be content to die, his last words on earth breathing the sublime spirit of love of liberty that was contained in the indignant answer of this devoted son of the State?

“ The words of dying men enforce attention like deep harmony :
Where words are scarce they are seldom spent in vain,
For they breathe truth, who breathe their words in pain.”

NORTH CAROLINA'S LOSS IN THE LATE WAR.

If North Carolina was slow to take this step of Revolution—and slow she ought to have been, for the consequences she well knew would be momentous—when the step was taken there was no hesitation, no looking back; and, as if by magic, from her distant territories across the mountains, from the tablelands of the Piedmont section, from the low-lands washed by the Atlantic, came men crowding to the fray; and though among the last to join the Confederacy, she was among the first in the field; and was there ever such a fight?

Out of a military population of 115,000 she equipped and sent to the field 125,000 fighting men.

Of the ninety-two regiments under General Lee in the seven day's fighting around Richmond in 1862, North Carolina furnished forty-six; and the killed and wounded in the North Carolina regiments at Chancellorsville constituted more than half the killed and wounded in the army of Northern Virginia in that battle. And so it was from battle to battle, from campaign to campaign, wherever the fighting was the fiercest and the killing the deadliest, North Carolina troops were in the front.

And when human endeavor could do no more, and the last supreme effort to save his army was to be made, its commander

selected a North Carolina General and North Carolina troops for the desperate service.

That State, which was the first to offer up a soldier's life in that fratricidal war, now, after four years of struggle, is to make the last charge and fire the last shot as the curtain falls forever on the bloody drama on the field of Appomattox.

Witnessing this last, this heroic charge to break the enemy's lines, made by Grimes' division of North Carolina troops, says General Lee, "God bless North Carolina!" These are the last words of military encomium pronounced by General Lee on this his last field of battle.

Those of us who were privileged to be present last week in Richmond, and to participate in that marvellous tribute to the dead hero, can bear witness that the State that furnished most soldiers to follow and guard him while living, sent most of those same soldiers to do him honor when dead.

But again we fail to get the credit for what we do.

"Quia carent vate sacro."

When we reflect that in the Franco-Prussian war of 1870-'71, one of the greatest of European wars, the German loss in killed or died of wounds was only 3 1-10 per cent.; that in the Crimean war the allied armies lost 3 2-10 per cent., and in the war of 1866 the Austrian army lost only 2 6-10 per cent. from the same causes, and that the total loss in killed, wounded and died of disease in the Union army was 8 6-10 per cent. of their enrollment of 2,320,272 men, we are prepared to believe that the fighting in our Civil War was the most desperate of all modern wars. But when we ascertain that North Carolina's loss in that war was over *thirty-five per cent. of her entire military population of 1861*, we may well exclaim in the language of a Northern writer (author of "Regimental Losses in the American Civil War"). "The result is extraordinary in its heroic

aspect." It is also established by the same authority that not only do North Carolina troops head the list on both sides of commands that sustained the greatest regimental loss in any one battle, but also they head the other list, that of the greatest percentage of loss sustained in any one battle; and this percentage on the fatal field of Gettysburg, in one command, reached the almost incredible figures of 863.10 per cent., viz., 708 out of 820 men carried into action.

RECONSTRUCTION.

When the Congress at Hillsboro (August, 1775,) proceeded to exercise every function of government, and to provide for the impending struggle with the mother country, by the erection of what in this day would be styled a provisional government, they felt called upon to give to the world a reason for a proceeding so extraordinary and revolutionary. They declared that there was "a silence of the legislative powers of government in North Carolina." This excuse was doubtless the best that could be given at the time, and served as a rallying cry for the Revolutionists, but it was almost sublime in its impudence, for at the time the Royal Governor was actually in the Province, and fulminating his proclamations from aboard the British man-of-war in the Cape Fear.

It was reserved for the days of reconstruction when a saying equally as famous in our day became current as the other was one hundred years ago; but a saying ominous to the Anglo-Saxon ear, and one sounding a death-knell to the liberty of the citizen. "The judiciary is exhausted," said the highest judicial officer in North Carolina. Fortunately for the State, in this he was mistaken. Another high judicial officer, disregarding all consequences personal to himself, and against the protest of the Governor to whose recommendation he owed his office, ordered the *Sacred Writ* to issue, and the parties unlawfully

distraigned of their liberties to be brought before him. And again, and we hope forever, was there saved to the State the liberties of her citizens, and the Constitution of their fathers.

To no one person in all their history are the people under greater obligations for a single exercise of judicial power than to this inflexible Judge of the United States District Court of North Carolina, the late Hon. George W. Brooks.

Seldom has it been the fortune of a people to merit such an occasion. Happy is the people who can furnish the man who, at such a crisis, fearlessly comes up to the full measure of a patriot, and does a deed that should go sounding down the ages. What State in the American Union can point to an event so honorable in the life of one of her judges as we can in North Carolina in telling of Judge Brooks' fearless conduct in this "epochal hour and time of crisis."

Let the people of North Carolina delay no longer to erect a monument in honor of this Federal Judge "who dared to do right, and to discharge his duty in the face of personal sacrifice and perhaps danger; and at a time of great darkness; when an awful calamity rested upon them; and clouds hung lowering and black in the political heavens." Such a monument should have inscribed these lines:

"Justum et tenacem propositi virum
Non civium ardor prava jubentium,
Non voltus instantis tyranni
Mente quatit solida. * * *
Si fractus illabatur orbis
Impavidum ferient ruinæ."

THE NEED OF A CHAIR OF HISTORY.

In an address before Cornell University, June 21, 1871, Professor D. C. Gilman, now President of The Johns Hopkins University, said: "It will be a curious inquiry for some philo-

sophical writer on the intellectual progress of this country to ascertain what were the themes, the text-books, the methods of instruction and tuition which prevailed in the American colleges prior to the Revolution; what sort of instruction at Cambridge filled Samuel and John Adams with their notions of civil liberty; what sort of culture at New Haven brought Jonathan Edwards to his lofty rank among the theologians of this country and of Scotland; what discipline at Princeton fitted James Madison to exert such influences upon the formation of the Constitution, and what academic drill at Columbia College made Alexander Hamilton the founder of our national credit and our financial system."

Though Columbia College claims the honor of being the first American institution to recognize History as worthy of a professional chair, and in 1817 appointed the Rev. John McVickar Professor of Philosophy, Rhetoric and Belles-Lettres, who, under the broad ægis of a philosophical professorship, protected and encouraged historico-political studies, yet it was not until 1839 that the first distinctive endowment of a Chair of History in any American college was made. This was done by Harvard, and it led the way to the recognition of History as worthy of an independent chair in all our higher institutions of learning.

In 1855, Michigan University instituted a department of History and English Literature.

Yale had no historical professorship until 1865.

In 1857, Columbia College, New York, called Dr. Francis Lieber from Columbia College, South Carolina, to its new Professorship of History and Political Science.

This call of Dr. Lieber marks the first recognition by a Northern college of History and Politics as co-ordinate sciences. This combination would seem to be the best. History is past politics, and politics is present history. History is primarily the experience of man in organized societies; political science

is the application of this historical experience to the existing problems of an ever-progressive society. History and politics are as inseparable as past and present.

Almost every institution for the higher education now has courses in American history, and it is not a pleasant reflection for us, that, in a list embracing some fifty colleges in the United States showing the principal facts relating to the study of history in American colleges and universities, the University of North Carolina is not mentioned.

THE STATE UNIVERSITY THE PLACE FOR IT.

An adequate foundation for the prosecution of studies in American institutions can only be made at the University. It is not called for in schools below that rank. History has become a technical study and it must be pursued as such. The tendency of the educational work of to-day is towards specialization. Technical instruction is the only instruction that counts in this world; general information has little, if any, value compared with it; everything about something, not something about everything, is the *desideratum* in education. When President White, who had been President of the University of Michigan, became President of Cornell, he selected the Chair of History. Says a recent writer: "If there is one idea which President White has represented more strongly than any other at Cornell University, it is the idea of educating the American youth in History and Political Science. This is and has always been the leading idea of his life."

History is simply the record of human experience, whether in physics, politics, economics, ethics or education,

The leading idea in the great University of Michigan now is that it should be the head of the public school system of the States. It was not until 1852, when Dr. Tappan became its President and announced in his inaugural address that the

University of Michigan should be the roof and crown of the State's system of education, that a new era was marked in the history of that institution. He there first suggested the establishment of a distinct Professorship in History and Political Economy.

As late as 1871 President White said: "It is a curious fact, and one not very creditable to our nation, that at present if any person wishes to hear a full and thorough course of lectures on the history of this country he must go to Paris or Berlin for it."

We, in North Carolina, have had historians, but our history is yet to be written. The history of our State must be justly written, published to the world and transmitted to posterity, in order that our own character and that of our ancestors may be vindicated from calumny, and may endure as a priceless heritage for the youth of future generations.

This work must be done at the University of the State, around which cluster the glories of a century, and where the State must look for its freest, loftiest and noblest culture in literature, science and art.

Here, in this vast building, erected by the patriotism of the people, dedicated to great purposes; in the presence of this large assembly of the noblest and best, of the beauty and wit of our land; yes! in the presence of the mighty dead, whose spirits we invoke on this solemn occasion, we will one and all resolve that the memorials of their glories shall be gathered, and let the honor of leading in this movement belong to the *Alumni* of the University.



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